



Attorney's Docket No.: 07334-142001 / MPI2000-003P1R

1642
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : John Bertin

Art Unit : 1642

JUL 07 2004

Serial No. : 09/767,215

Examiner : Minh-Tam B. Davis

Filed : January 22, 2001

TECH CENTER 1600/2900

Title : NOVEL MOLECULES OF THE CARD-RELATED PROTEIN FAMILY AND
USES THEREOF

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Commissioner for Patents

P.O. Box 1450

JUL 26 2004

Alexandria, VA 22313-1450

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT TECH CENTER 1600/2900

Applicant submits the references listed on the attached form PTO-1449. A copy of a communication from the European Search Report in a counterpart application is also enclosed.

This statement is being filed after a first Office Action on the merits, but before receipt of a final Office Action or a Notice of Allowance. I, the undersigned, hereby certify that each item of information contained in this statement was cited in a communication from a foreign patent office in a counterpart foreign application, the communication being dated June 17, 2004, which is not more than three months prior to the filing of this statement. Please apply any charges or credits to Deposit Account No. 06-1050.

Respectfully submitted,

Date: June 28, 2004

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CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

6/28/04
Date of Deposit

Signature

GINA MALDONADO

Typed or Printed Name of Person Signing Certificate

Substitute Form PTO-1449 (Modified) O P E R A T I O N S JUL 01 2004 U.S. Patent & Trademark Office Information Disclosure Statement by Applicant (37 CFR §1.98(b)) Use several sheets if necessary)		U.S. Department of Commerce Patent and Trademark Office	Attorney's Docket No. 07334-142001	Application No. 09/767,215
		Applicant John Bertin	JUL 07 2004 TECH CENTER 1600/2900	
		Filing Date January 22, 2001	Group Art Unit 1642	

U.S. Patent Documents							
Examiner Initial	Desig. ID	Document Number	Publication Date	Patentee	Class	Subclass	Filing Date If Appropriate

Foreign Patent Documents or Published Foreign Patent Applications							
Examiner Initial	Desig. ID	Document Number	Publication Date	Country or Patent Office	Class	Subclass	Translation Yes No

Other Documents (include Author, Title, Date, and Place of Publication)							
Examiner Initial	Desig. ID	Document					
	AA	Hofmann "The modular nature of apoptotic signaling proteins," CMLS CELLULAR AND MOLECULAR LIFE SCIENCES, BIRKHAUSER VERLAG, BASEL CH, 55:1113-1128 (1999)					
	AB	Bertin et al. "CARD11 and CARD14 are novel caspase recruitment domain (CARD)/membrane-associated guanylate kinase (MAGUK) family members that interact with BCL10 and activate NF-kappaB," JOURNAL OF BIOLOGICAL CHEMISTRY 276(15):11877-11882 (2001)					

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Examiner Signature	Date Considered
EXAMINER: Initials citation considered. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	

21.Juni 2004 19:20

DR. VOLKER VOSSIUS

Nr. 5407 S. 3/6



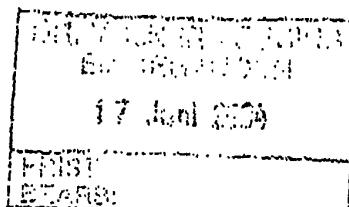
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Datum/Date
17.06.04

Zeichen/Ref./Ref. 114-94	Anmeldung Nr./Application No./Demande n°/Patent Nr./Patent No./Brevet n° 01951151.8-2403-US0102087
Anmelder/Applicant/Demandeur/Patentinhaber/Proprietor/Titulaire Millennium Pharmaceuticals, Inc.	

COMMUNICATION

The European Patent Office herewith transmits as an enclosure the European search report for the above-mentioned European patent application.

If applicable, copies of the documents cited in the European search report are attached.

- Additional set(s) of copies of the documents cited in the European search report is (are) enclosed as well.

The following specifications given by the applicant have been approved by the Search Division:

abstract title

- The abstract was modified by the Search Division and the definitive text is attached to this communication.

The following figure will be published together with the abstract: NONE

REFUND OF THE SEARCH FEE

If applicable under Article 10 Rules relating to fees, a separate communication from the Receiving Section on the refund of the search fee will be sent later.





European Patent
Office

SUPPLEMENTARY PARTIAL EUROPEAN SEARCH REPORT

Application Number

which under Rule 45 of the European Patent Convention
shall be considered, for the purposes of subsequent
proceedings, as the European search report

DOCUMENTS CONSIDERED TO BE RELEVANT			
Category	Citation of document with indication, where appropriate, of relevant passages	Relevant to claim	CLASSIFICATION OF THE APPLICATION (Int.Cl.)
X	DATABASE EMBL 'Online! 18 November 1999 (1999-11-18) ABOLA ET AL.: "Homo sapiens chromosome 17 clone" retrieved from EBI Database accession no. AC015559 XP002277332 * abstract *	3-9, 19, 20	C07K14/47
A	KOSEKI T ET AL: "CIPER, a novel NF kappaB-activating protein containing a caspase recruitment domain with homology to Herpesvirus-2 protein E10." THE JOURNAL OF BIOLOGICAL CHEMISTRY. UNITED STATES 9 APR 1999, vol. 274, no. 15, 9 April 1999 (1999-04-09), pages 9955-9961, XP002940468 ISSN: 0021-9258 * abstract * * figures 1,4,5 *	1-10, 12, 14-20	
		-/-	TECHNICAL FIELDS SEARCHED (Int.Cl.) C07K
<p>The supplementary search report has been based on the last set of claims valid and available at the start of the search.</p>			
INCOMPLETE SEARCH			
<p>The Search Division considers that the present application, or some or all of its claims, does/do not comply with the EPC to such an extent that a meaningful search into the state of the art cannot be carried out, or can only be carried out partially, for the following claims:</p>			
<p>Claims searched completely:</p>			
<p>Claims searched incompletely:</p>			
<p>Claims not searched:</p>			
<p>Reason for the limitation of the search:</p>			
<p>see sheet C</p>			
10	Place of search	Date of completion of the search	Examiner
	MUNICH	26 May 2004	Surdej, P
CATEGORY OF CITED DOCUMENTS		<p>T : theory or principle underlying the invention E : earlier patent document, but published on, or after the filing date D : document cited in the application L : document cited for other reasons & : member of the same patent family, corresponding document</p>	
<p>X : particularly relevant if taken alone Y : particularly relevant if combined with another document of the same category A : technological background O : non-written disclosure P : intermediate document</p>			

European Patent
OfficeSUPPLEMENTARY
PARTIAL EUROPEAN SEARCH REPORT

Application Number

EP 01 95 1151

DOCUMENTS CONSIDERED TO BE RELEVANT			CLASSIFICATION OF THE APPLICATION (Int.Cl.7)
Category	Citation of document with indication, where appropriate, of relevant passages	Relevant to claim	TECHNICAL FIELDS SEARCHED (Int.Cl.7)
A	HOFMANN K: "The modular nature of apoptotic signaling proteins" CMLS CELLULAR AND MOLECULAR LIFE SCIENCES, BIRKHAUSER VERLAG, BASEL, CH, vol. 55, July 1999 (1999-07), pages 1113-1128, XP002171651 ISSN: 1420-682X * page 1121 - page 1124 * * figure 3 *	1-10,12, 14-20	
T	BERTIN JOHN ET AL: "CARD11 and CARD14 are novel caspase recruitment domain (CARD)/membrane-associated guanylate kinase (MAGUK) family members that interact with BCL10 and activate NF-kappaB" JOURNAL OF BIOLOGICAL CHEMISTRY, vol. 276, no. 15, 13 April 2001 (2001-04-13), pages 11877-11882, XP002277331 ISSN: 0021-9258 * the whole document *	1-10,12, 14-20	

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EPO FORM 1503 V4.0B (PME/C26)

INCOMPLETE SEARCH
SHEET CApplication Number
EP 01 95 1151Claim(s) not searched:
11,13

Reason for the limitation of the search:

Claims 11 and 13 correspond to a compound selectively binding to CARD14 without giving any technical characteristics of said compound or a method using said compound, whereas the application provides support within the meaning of Article 84 EPC and/or disclosure within the meaning of Article 83 EPC for only a very limited number of such products such as antibodies corresponding to said polypeptide. In the present case, the claims so lack support, and the application so lacks disclosure, that a meaningful search over the whole of the claimed scope is impossible. Independent of the above reasoning, the claims also lack clarity (Article 84 EPC). An attempt is made to define the product by reference to a result to be achieved. Again, this lack of clarity in the present case is such as to render a meaningful search over the whole of the claimed scope impossible. Consequently, the search has been carried out for those parts of the claims which appear to be clear, supported and disclosed, namely those parts relating to the antibodies (claims 12 and 14).